

**FINAL REPORT
OF THE
INTERIM STUDY COMMITTEE ON
TECHNOLOGY ISSUES**



**Indiana Legislative Services Agency
200 W. Washington Street, Suite 301
Indianapolis, Indiana 46204**

October, 2004

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2004

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INTERIM STUDY COMMITTEE ON TECHNOLOGY ISSUES

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**Valerie Ruda
Attorney for the Committee**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.state.in.us/legislative/>.

I. LEGISLATIVE COUNCIL DIRECTIVE

The Legislative Council directed the Committee to study the following topics:

- A. Broadband Internet matters (SB 454).
- B. Geographic Information Systems funding (HR 51).
- C. Impact of technological advances on the Open Door and Access to Public Records Acts (SCR 36).

II. SUMMARY OF WORK PROGRAM

The Committee met three times during the 2004 interim, on July 22, August 18, and September 15.

III. FINAL REPORT AND SUMMARY OF TESTIMONY

At its September 15, 2004, meeting, the Committee authorized the following compilation of the minutes of the Committee's three meetings as the Committee's final report.

A. Broadband and other Internet matters

Dr. O'Neal Smitherman, Vice President for Information Technology, Ball State University (BSU) talked to the Committee about BSU's development of new interactive media, such as electronic field trips for K-12 classrooms. BSU is a partner with Movielink in the digital distribution of movies and other media to universities. BSU also is involved in the Internet distribution of learning materials in K-12 education.

Dr. Smitherman also discussed the use of public television towers to provide high definition broadband access to eighty percent (80%) of Indiana's population. Representative Pierce suggested the possibility of using the existing I-light broadband platform to deploy wireless Internet access. Representatives Pierce and Koch debated the role of government in providing Internet access.

B. Geographic Information Systems (GIS) funding

Dr. Qihao Weng, Assistant Professor of Geography, Indiana State University (ISU), gave a presentation on GIS. First, Dr. Weng demonstrated how GIS data can be used to manage urban heat by comparing land use and land cover statistics in Marion County from the years 1991, 1995, and 2000. Next, Dr. Weng combined socioeconomic and environmental GIS data to assess the quality of urban life. Then, Dr. Weng demonstrated the urban mapping of Terre Haute using GIS data; this project can be found at <http://www.gis.indstate.edu>. Finally, Dr. Weng noted possible commercial applications of GIS data, including site selection, market penetration analysis, and target marketing.

Dr. Ryan Jensen, Assistant Professor of Geography, ISU, spoke to the Committee about Wabashview, which is part of a hyperspectral remote sensing initiative funded by the National Science Foundation. Hyperspectral remote sensing can be used to study urban forestry and acid mine drainage. Data from the Wabashview project are available at <http://wabashview.indstate.edu>.

Alex Wernher, Deputy Director of the Allen County Department of Planning Services and President of the Indiana Geographic Information Council (IGIC), spoke to the committee about IGIC, Indiana's official statewide GIS coordinating body. Mr. Wernher testified about how GIS technology can improve the quality of life in Indiana.

John Buechler, manager of cadastre with the Advanced Information Technologies department of the Polis Center at Indiana University-Purdue University, Indianapolis, discussed some specific uses of GIS technology, including a risk assessment report prepared for Wells County.

David Coats, also of the Polis Center, spoke to the Committee about "Indiana Map", a project which would allow Indiana data to be integrated into a national GIS map project.

C. Impact of technological advances on the Open Door and Access to Public Records Acts

Stephen Key, Hoosier State Press Association (HSPA), described the impact of technological advances on Indiana's Open Door (IC 5-14-1.5) and Public Records (IC 5-14-3) laws. Mr. Key addressed three issues and presented the Committee with proposed statutory language for each issue. First, Mr. Key distinguished between emails sent and received from public versus home computers. Second, Mr. Key related several anecdotes about the use of serial meetings to avoid having a quorum of members present and triggering the Open Door laws. Finally, Mr. Key discussed the use of remote electronic participation in public meetings and the importance of requiring a physical quorum.

Mr. Key also advocated legislation that would protect personal information but still allow public agencies to use the final four digits of an individual's Social Security number as an identifying factor. Mr. Key cited a study by BSU that calculated only one in 29.9 million people have both the same last name and the same final four digits of a Social Security number. The odds are reduced to one in 8.8 billion when a third variable of birth date is added.

Earl Morgan, executive director of the Indiana Counterterrorism and Security Council, noted his concern about the public availability of data through technology and acknowledged that there is currently some statutory protection.

Terri Rethlake, St. Joseph County Recorder, testified about the need to protect personal information that is recorded in a public office. Senator Ford questioned why a county recorder keeps federal military records, including service members' Social Security numbers. Ms. Rethlake answered that the Social Security numbers are necessary to obtain Veterans Affairs

benefits. Stephen Key, HSPA, explained that, after a fire at the federal building in St. Louis destroyed military records, a local backup record is kept in each county recorder's office. Representative Dvorak asked if the military records are available on the Internet. Ms. Rethlake answered that the records are accessible on the Internet to users who pay a monthly or per document fee, part of which is deposited in the county remote access fund and part of which goes to the software company that manages the website.

Judy Sharp, Monroe County Assessor, and Randy Smith, Monroe County GIS coordinator, demonstrated Monroe County's integrated GIS website, in53.plexisgroup.com. Ms. Sharp testified that the GIS website was essential to the county finishing its property reassessment on time. Because the GIS website includes photographs of all Monroe County structures, the assessor only had to visit three structures in over 1,000 appeals. The availability of reassessment information on the Internet has reduced the number of visits and phone calls to the assessor's office. In response to a question by Representative Austin, Ms. Sharp testified that Monroe County has a technology board that has conducted monthly public meetings since 1992.

Diana Cleland, Hamilton County Web Administrator, testified that she is trying to implement a digital newsletter service for Hamilton County residents and is unsure whether email addresses collected for the service would become public records. Ms. Cleland stated that she has been advised to release the email addresses to avoid violating Indiana law. Ms. Cleland provided the Committee with her correspondence with Indiana's Public Access Counselor and copies of other states' laws dealing with the issue.

Marian Percy, President of the Indiana Coalition for Open Government testified in support of legislation that would (1) limit the use of telephone or other electronic means to circumvent public meetings; (2) require physical attendance of members at public meetings; and (3) make public all email generated in furtherance of public business.

Cindi Mattingly, Clerk-Treasurer of New Middletown, gave anecdotal evidence of local government officers using email to avoid holding public meetings.

Glenna Shelby, on behalf of Linda Compton of the Indiana Broadcasters' Association, spoke in support of the three legislative proposals submitted to the Committee by Stephen Key of HSPA.

D. Additional topics

Dr. Richard Seymour, Department of Industry and Technology, BSU, discussed BSU's technology education curriculum, which is designed to promote technological literacy. Dr. Seymour stated that the challenge facing BSU and Indiana's technology educators is to develop dynamic technology programs to prepare students for the future. For further study of technology education, Dr. Seymour referred the Committee to the website of the Technology Educators of Indiana at www.teiwww.org.

Margaret Mohundro, Indiana Cooperative Library Services Authority and Indiana Library Federation, presented information about INSPIRE, the Indiana Virtual Library. INSPIRE makes 26 databases containing more than 10,000 magazines, journals, newspapers, and other materials available to Indiana residents on the Internet. Representative Austin inquired as to how INSPIRE protects children from accessing inappropriate content. Ms. Mohundro responded that children use a separate interface called "INSPIRE Kids" to access the databases.

IV. COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee made no findings of fact or recommendations.

WITNESS LIST

John Buechler, manager of cadastre, Advanced Information Technologies Department, Polis Center, Indiana University-Purdue University, Indianapolis

Diana Cleland, Hamilton County Web Administrator

David Coats, Polis Center, Indiana University-Purdue University, Indianapolis

Dr. Ryan Jensen, Assistant Professor of Geography, Indiana State University

Stephen Key, Hoosier State Press Association

Cindi Mattingly, Clerk-Treasurer, New Middletown

Margaret Mohundro, Indiana Cooperative Library Services Authority and Indiana Library Federation

Earl Morgan, Executive Director, Indiana Counterterrorism and Security Council

Marian Percy, President, Indiana Coalition for Open Government

Terri Rethlake, St. Joseph County Recorder

Dr. Richard Seymour, Department of Industry and Technology, Ball State University

Judy Sharp, Monroe County Assessor

Glenna Shelby, Indiana Broadcasters' Association

Randy Smith, Monroe County GIS coordinator

Dr. O'Neal Smitherman, Vice President for Information Technology, Ball State University

Dr. Qihao Weng, Assistant Professor of Geography, Indiana State University

Alex Wernher, Deputy Director, Allen County Department of Planning Services and President, Indiana Geographic Information Council